

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(d))-NONPROFIT ORGANIZATION

O R E
MAY 14 1998
PATENT & TRADEMARK OFFICE

DOCKET NUMBER: DFCI-522A

Applicant or Patentee: Ellis Reinherz, Linda Clayton, Timothy D. Ocain and Robert M. Patch

Serial or Patent No.: 08/948,124

Filed or Issued: October 9, 1997

Title: THYMOCYTE CASPASE ACTIVITY AND NEGATIVE SELECTION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION Dana-Farber Cancer Institute

ADDRESS OF NONPROFIT ORGANIZATION 44 Binney Street

Boston, Massachusetts 02115

TYPE OF NONPROFIT ORGANIZATION:

UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C.501(a) and 501(c)(3))

NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)

(CITATION OF STATUTE _____)

WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA

WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)

(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

the specification filed herewith with title as listed above.

the application identified above.

the patent identified above.

I hereby declare the rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

no such person, concern, or organization exists.

each such person, concern or organization is listed below.

Procept, Inc.
840 Memorial Drive
Cambridge, Massachusetts 02139

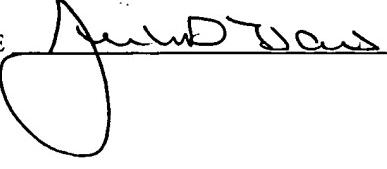
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Julia D. Hart

TITLE IN ORGANIZATION OF PERSON SIGNING Patent Counsel

ADDRESS OF PERSON SIGNING Dana-Farber Cancer Institute, 44 Binney Street, Boston, Massachusetts 02115

SIGNATURE 

DATE May 20 1998

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(d) & 1.27(c))-SMALL BUSINESS CONCERN**

Applicant or Patentee: Ellis Reinhartz, Linda Clayton, Timothy D. Clark, and Raymond J. Hatch
 Serial or Patent No.: 08/948,124
 Filed or Issued: October 9, 1997
 Title: THYMOCYTE CASPASE ACTIVITY AND NEGATIVE SIELECTION

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MAY 14 1998

CS

DOCKET NUMBER: DFCI-S22A

PATENT & TRADEMARK OFFICE

I hereby declare that I am

- [] the owner of the small business concern identified below;
 [X] an official of the small business concern empowered to act on behalf of the concern identified below;

NAME OF SMALL BUSINESS CONCERN

Procept, Inc.

ADDRESS OF SMALL BUSINESS CONCERN

840 Memorial DriveCambridge, Massachusetts 02139

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 121.12 and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- [] the specification filed herewith with title as listed above.
 [X] the application identified above.
 [] the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- [] no such person, concern, or organization exists.
 [X] each such person, concern or organization is listed below.

Dana-Farber Cancer Institute
 44 Binney Street
 Boston, Massachusetts 02115

Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING John F. DeeTITLE OF PERSON IF OTHER THAN OWNER President and Chief Executive OfficerADDRESS OF PERSON SIGNING Procept, Inc., 840 Memorial Drive, Cambridge, MA 02139SIGNATURE John F. Dee DATE 5-10-98

D/DFCI/S22A/Procept.Ver



DOCKET NO. DFCI-522A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

THYMOCYTE CASPASE ACTIVITY AND NEGATIVE SELECTION

the specification of which (check one)

[] is attached hereto.

[X] was filed on October 9, 1997 as United States Application

Number or PCT International Application Serial No. 08/948,124

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

		Priority Not Claimed
(Number)	(Country)	(Day/Month/Year filed)
(Number)	(Country)	(Day/Month/Year filed)
(Number)	(Country)	(Day/Month/Year filed)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u>(Application Number)</u>	<u>(Filing Date)</u>
<u>(Application Number)</u>	<u>(Filing Date)</u>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

08/802,474 (Application Serial No.)	2/18/97 (Filing date)	Pending (Status: patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

I also hereby grant additional Powers of Attorney to the following attorney(s) and/or agent(s) to file and prosecute an international application under the Patent Cooperation Treaty based upon the above-identified application, including a power to meet all designated office requirements for designated states:

David E. Brook	Reg. No. 22,592	Alice O. Carroll	Reg. No. 33,542
James M. Smith	Reg. No. 28,043	N. Scott Pierce	Reg. No. 34,900
Leo R. Reynolds	Reg. No. 20,884	Richard A. Wise	Reg. No. 18,041
Patricia Granahan	Reg. No. 32,227	Helen E. Wendler	Reg. No. 37,964
Mary Lou Wakimura	Reg. No. 31,804	Carolyn S. Elmore	Reg. No. 37,567
Thomas O. Hoover	Req. No. 32,470	Lisa M. Warren	Reg. No. 41,368

all of Hamilton, Brook, Smith and Reynolds, P.C., Two Militia Drive,
Lexington, Massachusetts 02173;

and _____

Send correspondence to: Carolyn S. Elmore
Hamilton, Brook, Smith & Reynolds, P.C.
Two Militia Drive, Lexington, MA 02173-4799

Direct telephone calls to: Carolyn S. Elmore

(781) 861-6240

Direct facsimiles to: Carolyn S. Elmore

(781) 861-9540

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Ellis Reinhertz

Inventor's

signature E.R.

Date 1/28/98

Residence 113 South Great Road

Lincoln, Massachusetts 01773

Citizenship USA

Post Office Address Same as above

Full name of second joint

inventor, if any Linda Clayton

Inventor's

signature Linda K. Clayton

Date 2/6/98

Residence 48 Cedarwood Road

Jamaica Plain, Massachusetts 02130

Citizenship USA

Post Office Address Same as above

Full name of third joint

inventor, if any Timothy D. Ocain

Inventor's

Signature

Date

Residence 45 Indian Head Road

Framingham, Massachusetts 01701

Citizenship USA

Post Office Address Same as above

Full name of fourth joint

inventor, if any Raymond J. Patch

Inventor's

Signature _____ Date _____

Residence 16 Emily Road

Framingham, Massachusetts 01701

Citizenship USA

Post Office Address Same as above

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DOCKET NO. DFCI-522A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

THYMOCYTE CASPASE ACTIVITY AND NEGATIVE SELECTION

the specification of which (check one)

[] is attached hereto.

[X] was filed on October 9, 1997 as United States Application Number or PCT International Application Serial No. 08/948.124 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority
Not
Claimed

(Number)	(Country)	(Day/Month/Year filed)	[]
(Number)	(Country)	(Day/Month/Year filed)	[]
(Number)	(Country)	(Day/Month/Year filed)	[]

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
(Application Number)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>08/802,474</u> (Application Serial No.)	<u>2/18/97</u> (Filing date)	<u>Pending</u> (Status: patented, pending, abandoned)
<u> </u> (Application Serial No.)	<u> </u> (Filing date)	<u> </u> (Status: patented, pending, abandoned)
<u> </u> (Application Serial No.)	<u> </u> (Filing date)	<u> </u> (Status: patented, pending, abandoned)
<u> </u> (Application Serial No.)	<u> </u> (Filing date)	<u> </u> (Status: patented, pending, abandoned)

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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James M. Smith	Reg. No. 28,043	N. Scott Pierce	Reg. No. 34,900
Leo R. Reynolds	Reg. No. 20,884	Richard A. Wise	Reg. No. 18,041
Patricia Granahan	Reg. No. 32,227	Helen E. Wendler	Reg. No. 37,964
Mary Lou Wakimura	Reg. No. 31,804	Carolyn S. Elmore	Reg. No. 37,567
Thomas O. Hoover	Reg. No. 32,470	Lisa M. Warren	Reg. No. 41,368

all of Hamilton, Brook, Smith and Reynolds, P.C., Two Militia Drive, Lexington, Massachusetts 02173;

and _____

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Hamilton, Brook, Smith & Reynolds, P.C.
Two Militia Drive, Lexington, MA 02173-4799

Direct telephone calls to: Carolyn S. Elmore

(781) 861-6240

Direct facsimiles to: Carolyn S. Elmore

(781) 861-9540

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Full name of sole

or first inventor Ellis Reinhertz

Inventor's

Signature _____ Date _____

Residence 113 South Great Road

Lincoln, Massachusetts 01773

Citizenship USA

Post Office Address Same as above

Full name of second joint

inventor, if any Linda Clayton

Inventor's

Signature _____ Date _____

Residence 48 Cedarwood Road

Jamaica Plain, Massachusetts 02130

Citizenship USA

Post Office Address Same as above

Full name of third joint

inventor, if any Timothy D. Ocain

Inventor's

Signature Timothy D. Ocain Date 1-20-98

Residence 45 Indian Head Road

Framingham, Massachusetts 01701

Citizenship USA

Post Office Address Same as above

Full name of fourth joint

inventor, if any Raymond J. Patch

Inventor's

signature Raymond J. Patch Date 1/20/98

Residence 16 Emily Road

Framingham, Massachusetts 01701

Citizenship USA

Post Office Address Same as above

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